

CLAIM AMENDMENTS

In the Claims

Please amend the following claims as indicated:

1. (Cancel)
2. (Cancelled)
3. (Cancel)
4. (Cancel)
5. (Cancelled)
7. (Cancelled)
8. (Cancel)
9. (Cancel)
10. (Amended) A sophisticated rotatable safety seatback for attachment to a personal watercraft ~~said vehicle~~ having a seatback control circuit and ~~further having~~ a seat with ~~a right side, a left side, a top side, a bottom side, a front and a rear and having~~ a longitudinal axis extending ~~from~~ between the front of the seat ~~projecting beyond the~~ and the rear of the seat and ~~located between~~ the top side and the bottom side of the seat and further located between the right side and the left side of the seat, the rotatable safety seatback comprising:

a seatback having an upright position and a boarding position;

seatback rotational mounting means ~~for attaching~~ adapted to rotatably attach said

seatback to the personal watercraft such that ~~thereby revolving~~ said seatback is

rotatable through approximately 180 degrees about the longitudinal axis between

said upright position and said boarding position; and
electromagnetic locking means integral to said rotational mounting means for retaining
said seatback in said upright position;
wherein said seatback rotation means and said electromagnetic locking means are
controlled by the seatback control circuit such that when the seatback circuit is
activated said seatback rotates to said boarding position and when said seatback
circuit is deactivated the seatback returns to said upright position.

11. (Original) The device of claim 10 further having a safety actuator wherein when said safety actuator is actuated said seatback control circuit rotates said seatback to said boarding position.
12. (Amended) The device of claim 10 wherein the personal watercraft further has a frame and
wherein said rotational mounting means is ~~attached~~ adapted to attach to the frame of the
personal watercraft.
13. (Amended) The device of claim 10 wherein said rotational mounting means is ~~attached~~
adapted to attach to the seat of the personal watercraft.
14. (Amended) A rotatable safety seatback for attachment to a personal watercraft having a seat
~~with a right side, a left side, a top side, a bottom side, a front and a rear and the seat~~ having a
longitudinal axis extending ~~from between the front to~~ of the seat and ~~projecting beyond the~~
rear of the seat ~~and located between the top side and the bottom side of the seat and further~~
~~located between the right side and the left side of the seat,~~ the rotatable safety seatback
comprising:

a seatback having an upright position and a boarding position;
a swivel plate;

a swivel attached to said seatback;

a swivel pin;

a latch pin;

a quick release knob attached to said latch pin;

a spring, and

mounting means ~~for attaching~~ adapted to rotatably attach said swivel plate to the personal watercraft;

wherein said latch pin and said spring are integrally mounted within said swivel plate and

wherein said spring loads said latch pin such that said latch pin retains said seatback

in said upright position until released by pulling on said quick release knob; and

wherein said swivel is received by said swivel plate and held within said swivel plate by

said swivel pin, such that said swivel freely rotates within said swivel plate ~~thereby~~

~~revolving~~ such that said seatback is rotatable through approximately 180 degrees

about the longitudinal axis between said upright position and said boarding position.

15. (Cancelled)

16. (Amended) The device of claim ~~[[15]]~~ 14 wherein the personal watercraft further has a frame

and wherein said mounting means ~~attaches~~ is adapted to attach said swivel plate to the frame of the personal watercraft.

17. (Amended) The device of claim ~~[[15]]~~ 14 wherein said mounting means ~~attaches~~ is adapted

to attach said swivel plate to the seat of the personal watercraft.

18. (Cancelled)

Specific Amendments to the Remaining Claims

In this response, claims 1, 3, 4, 8 and 9 have been cancelled; whereas, claims 2, 5, 15 and 18 were cancelled in an earlier response. Thus, the only remaining claims at bar are 10 - 14, 16 and 17 which the Examiner has indicated are allowable provided they are rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph.

Claim 10 has been amended to claim the rotatable safety seatback separate and apart from the seat of the personal watercraft. This has been accomplished by several steps:

One – the number of words in the preamble have been reduced – particularly those words used to describe the location of the longitudinal axis: it being realized that a longitudinal axis by definition falls between all sides of a seat when the longitudinal axis is defined as running from the front to the rear.

Two – the preamble has been amended to distinctly define that the seatback is for attachment to a personal watercraft whose seat has a longitudinal axis extending between the front of the seat and the rear of the seat.

Three – the phrase "the rotatable safety seatback" has been added immediately before the word "comprising" so that it becomes clear that the claim goes to the rotatable safety seatback.

Four – the "seatback rotational mounting means" has been further defined as "adapted to rotatably attach said seatback to the personal watercraft."

Five – the function of the rotational mounting means has been amended to more clearly define its function "such that said seatback is rotatable through approximately 180 degrees about the longitudinal axis between said upright position and said boarding position."

The preamble and first two elements of claim 10 now read:

"A sophisticated rotatable safety seatback for attachment to a personal watercraft having

a seatback control circuit and a seat with a longitudinal axis extending between the

front of the seat and the rear of the seat, *the rotatable safety seatback* comprising:

a seatback having an upright position and a boarding position;

seatback rotational mounting means *adapted to rotatably attach* said seatback to the

personal watercraft such that said seatback is rotatable through approximately 180 degrees about the longitudinal axis between said upright position and said boarding position;"

The italicized phrase "*the rotatable safety seatback*" clearly indicates that the claim device is the rotatable safety seatback with a rotational mounting means that is *adapted to rotatably attach* the seatback to an unclaimed item. With the use of the phrase "adapted to rotatably attach," it is believed that the claim element no longer positively claims the recreational vehicle or the seat of the vehicle. It is now hoped that the rejection of the Examiner, under 35 U.S.C. 112, 2nd paragraph has been properly traversed and reconsideration of the rejection of independent claim 10 is respectfully requested.

Claim 11 was previously presented and depends from claim 10 and no amendments have been made.

In Claims 12 and 13, the word "attaches" has been replaced with the phrase "*is adapted to attach*." These two claims, like their independent claim 10, no longer positively recite the watercraft or its seat. As with claim 10 above, it is now believed that the rejection of the Examiner, under 35 U.S.C. 112, 2nd paragraph has been properly traversed and reconsideration of the rejection of the two dependent claims is respectfully requested.

Claim 12 has had the phrase "*wherein the personal watercraft further has a frame*" added in order to provide antecedent basis for the frame which is recited in the claim.

Claim 14 has been amended in substantially the same manner as claim 10. The preamble has been simplified and the phrase "*the rotatable safety seatback*" has been added immediately before the word "comprising" so that it becomes clear that the claim goes to the rotatable safety seatback. The function of the mounting means has been amended so that the personal watercraft, or its seat, is no longer positively recited by striking "for attaching" and replacing it with the phrase "*adapted to rotatably attach*". It is now believed that the rejection of the Examiner, under 35 U.S.C. 112, 2nd paragraph has been properly traversed and reconsideration of the rejection of independent claim 14 is respectfully requested.

Claims 16 and 17 have been amended to properly depend from claim 14, as required by the examiner and the word "attaches" has been replaced with the phrase "*is adapted to attach*." The two

claims, like their independent claim 14, no longer positively recite the watercraft or its seat. As with claims above, it is now believed that the rejection of the Examiner, under 35 U.S.C. 112, 2nd paragraph has been properly traversed and reconsideration of the rejection of the two dependent claims is respectfully requested.

Claim 16 (like claim 12) has had the phrase "*wherein the personal watercraft further has a frame*" added in order to provide antecedent basis for the frame which is recited in the claim.

It is believed that the rejections of the Examiner have been properly traversed. Applicant noted in amending the claims that the proper antecedent basis for "the frame" was not present in claims 12 and 16. Applicant has, therefore, made the necessary correction. This correction adds no new material as it defines the watercraft as having a frame.

Request for Continuing Examination

Although it is believed that the rejections of the Examiner have been traversed and a Request for Continuing Examination may not be necessary, Applicant wishes to make certain that the rejections of the Examiner have been properly and fully meet. Applicant believes that the Request for Continuing Examination will provide the best means to accomplish a full and proper response.

GENERAL REMARKS and REQUEST FOR RECONSIDERATION

The above amendments to the claims and the specification add NO new material. Support for the amendments may be found in the specification, drawings and claims as originally filed and as explained above.

Applicants believe that they have properly traversed the rejections and objections of the Examiner and that they have presented a proper and respectful request for reconsideration of the rejected claims. Acceptance and entry of the amendments is respectfully requested.

Applicants now believe that the application is in condition for allowance and such is respectfully requested.

Respectfully submitted



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ENC: Request for Continuing Examination and Check for Small Entity Fee (\$395)

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10(a)

I, C. W. Alworth, hereby certify that this Response to the Final Office action and Request for Continuing Examination in the above identified patent application, and the attachments, was properly placed (prepaid) in the Express Mail Service of the United States Postal Service – receipt number EV 693537127 US - on the 29th day of August, 2005. Under the Rules of the Office, the Commissioner is hereby requested to assign the date of filing as the date of Express Mailing – namely 29 August 2005.



C. W. Alworth

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